

# **Exhibit 17**

**ORIGINAL**

**VIDEO TELECONFERENCE DEPOSITION  
JOSEPH FAHEY**

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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BLACK LOVE RESISTS IN THE RUST, et al.,

Plaintiffs,

- vs - Civil Action No.  
18-cv-719

CITY OF BUFFALO, et al.,

Defendants.  
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Video teleconference deposition of **JOSEPH FAHEY**, present at JACK W. HUNT & ASSOCIATES, INC., 1120 Liberty Building, Buffalo, New York, taken pursuant to Federal Rules of Civil Procedure, connected with CENTER FOR CONSTITUTIONAL RIGHTS, 666 Broadway, 7th Floor, New York, New York, on December 19, 2019, commencing at 10:14 a.m., before JULIANA R. SCHIAPPA, Notary Public.

**JACK W. HUNT & ASSOCIATES, INC.**

1 APPEARANCES: FOR CONSTITUTIONAL RIGHTS,  
2 By DARIUS CHARNEY, ESQ.,  
3 dcharney@ccrjustice.org, and  
4 BRITTANY THOMAS, ESQ.,  
5 666 Broadway, 7th Floor,  
6 New York, New York 10012,  
7 (212) 614-6464,  
8 (in New York)  
9 and  
10 WESTERN NEW YORK LAW CENTER,  
11 By KEISHA A. WILLIAMS, ESQ.,  
12 Cathedral Park Tower,  
13 37 Franklin Street, Suite 210,  
14 Buffalo, New York 14202,  
15 (716) 855-0203,  
16 kwilliams@wnylc.com,  
17 Appearing for the Plaintiffs,  
18 (in Buffalo).

19  
20 TIMOTHY A. BALL, ESQ.,  
21 Corporation Counsel,  
22 By ROBERT E. QUINN, ESQ.,  
23 Assistant Corporation Counsel,  
1137 City Hall,  
Buffalo, New York 14202,  
(716) 851-4334,  
rquinn@ch.ci.buffalo.ny.us,  
Appearing for the Defendants,  
(in Buffalo).

10:13:21 17 THE REPORTER: How would you like to do the  
10:13:23 18 billing?

10:13:24 19 MR. QUINN: Generally they would supply us,  
10:13:27 20 as we're producing the witness.

10:13:29 21 THE REPORTER: Counsel for the plaintiffs,  
10:13:35 22 is that acceptable that you are supplying defense  
23 counsel?

**JACK W. HUNT & ASSOCIATES, INC.**

*1120 Liberty Building*

*Buffalo, New York 14202 - (716) 853-5600*

*Fahey - Charney - 12/19/2019*

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11:01:20 1 those checkpoints?

11:01:22 2 MR. QUINN: Object to form. You can answer.

11:01:28 3 THE WITNESS: I don't understand exactly  
11:01:31 4 what you mean. Like, why -- what was the purpose  
11:01:35 5 of the checkpoint? Is that what you're saying?

11:01:38 6 BY MR. CHARNEY:

11:01:38 7 Q. Yes, yes, that's a better way to ask it.

11:01:38 8 A. They were --

11:01:38 9 Q. Do you remember what the purpose of the  
11:01:38 10 checkpoints were?

11:01:40 11 A. Yeah, they were --

11:01:40 12 MR. QUINN: Object to form. You can answer.

11:01:41 13 THE WITNESS: -- safety checkpoints.

11:01:44 14 BY MR. CHARNEY:

11:01:44 15 Q. I'm sorry, can you repeat that?

11:01:45 16 A. Safety checkpoints.

11:01:48 17 Q. Okay. So, when you say safety, you  
11:01:49 18 mean like checking vehicles to make sure their  
11:01:52 19 equipment is all in order?

11:01:53 20 A. Yes.

11:01:53 21 Q. Checking people's licenses to make sure  
11:01:56 22 they're active?

11:02:02 23 MR. QUINN: Object to form.

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1 STATE OF NEW YORK )

2 ss:

3 COUNTY OF ERIE )

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5 I DO HEREBY CERTIFY as a Notary Public in and  
6 for the State of New York, that I did attend and  
7 report the foregoing deposition, which was taken  
8 down by me in a verbatim manner by means of machine  
9 shorthand. Further, that the deposition was then  
10 reduced to writing in my presence and under my  
11 direction. That the deposition was taken to be  
12 used in the foregoing entitled action. That the  
13 said deponent, before examination, was duly sworn  
14 to testify to the truth, the whole truth and  
15 nothing but the truth, relative to said action.

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*Juliana Renee Schiappa*

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JULIANA RENEE SCHIAPPA,  
Notary Public

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**JACK W. HUNT & ASSOCIATES, INC.**

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